



VACATION/TERMINATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name SUNNYSIDE COAL COMPANY

Mailing Address P.O. BOX 99, Hwy 123, SUNNYSIDE, UT. 84539

State Permit No. ACT/007/007

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 93-32-1-2 (PART 1 OF 2) dated 3/25, 1993.

Cessation Order No. C _____ dated _____, 19____.

Part 1 of 2 is vacated terminated because the operator has removed coal processing waste from adjacent to the No. 1 + 2 Shury Cells.

Part _____ of _____ is vacated terminated because _____

Part _____ of _____ is vacated terminated because _____

Date of service/mailing 4/28/93

Time of service/mailing 2:00 a.m. p.m.

PETE HESS
Permittee/Operator representative

ENVIRONMENTAL COORDINATOR
Title

Pete Hess
Signature

HENRY SAUER
Division of Oil, Gas & Mining

SENIOR RECLAMATION SOILS SPECIALIST
Title

Henry Sauer
Signature



UTAH
NATURAL RESOURCES
Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

VACATION/TERMINATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name SUNNYSIDE COAL MINE

Mailing Address P.O. Box 99, Hwy 123, SUNNYSIDE, UT. 84539

State Permit No. ACT/007/007

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 93-32-1-2 (PART 2 of 2) dated 3/25, 1992.

Cessation Order No. C _____ dated _____, 19____.

Part 2 of 2 is vacated terminated because the operator placed noncoal waste (especially used oil, Tannin Gas, Fluid, Dust Suppressant) in a controlled manner (collected all 55-gal drums into one area and constructed a containment berm).

Part _____ of _____ is vacated terminated because _____

Part _____ of _____ is vacated terminated because _____

Date of (service) mailing 4/28/93

Time of (service) mailing 2:00 a.m. p.m.

PETER HESS
Permittee representative

ENVIRONMENTAL COORDINATOR
Title

Peter Hess
Signature

HENRY SAUER
Division of Oil, Gas & Mining

SENIOR RECLAMATION Soils Specialist
Title

Henry Sauer
Signature

- STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE.
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see form)
- If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
 - If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
 - If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
 - If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
 - Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
 - Save this receipt and present it if you make inquiry.
- * U.S.G.P.O. 1988-217-132

PS Form 3890, June 1985

PA N93-32-1-2 ACT/007/007

DOGM JBE

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

JOE FIEDLER GENERAL MANAGER
SUNNYSIDE COAL COMPANY
PO BOX 99
SUNNYSIDE UT 84539

Postage s.75

Certified Fee 1.00

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing to whom and Date Delivered 1.00

Return Receipt showing to whom and Date Delivered

Return Receipt showing to whom and Date Delivered

Postmark or Date

SALT LAKE CITY OFFICE

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address and ZIP Code in the space below.
• Complete Items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits; otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

APR 28 1993 PM 84539
PENALTY FOR PRIVATE USE \$300

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

STATE OF UTAH
NATURAL RESOURCES
OIL, GAS, & MINING
3 TRIAD CENTER, SUITE 350
SALT LAKE CITY, UTAH 84180-1203

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-898

APR 28 1993

7. Date of Delivery

8. Signature - Agent

9. Signature - Addressee

10. Address

11. Article Addressed to:
JOE FIEDLER GENERAL MANAGER
SUNNYSIDE COAL COMPANY
PO BOX 99
SUNNYSIDE UT 84539

12. Article Number: P 074 978 336

13. Type of Service:
 Registered
 Certified
 COD
 Insured
 Return Receipt
 Express Mail or Microfilm

14. Addressee's Address (ONLY if request and fee paid)
Always obtain signature of addressee or agent and DATE DELIVERED.

15. Show to whom delivered, date, and addressee's address, and address if requested.
For additional fees the following services are available. Consult postmaster for date of delivery. For additional fees the following services are available. Consult postmaster and item being returned to you. The return receipt fee will provide you the name of the person delivered and item being returned to you. Failure to do this will prevent the return receipt fee from being returned to you.

16. Sender Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4. (omit charge)

17. Restricted Delivery

APR/007/007



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

April 23, 1993

CERTIFIED RETURN RECEIPT
P 074 978 336

Mr. Joe Fielder
Sunnyside Coal Company
P.O. Box 99
Sunnyside, Utah 84539

Dear Mr. Fielder:

Re: Proposed Assessment for State Violation No. N93-32-1-2, Sunnyside Coal Company, Sunnyside Mine, ACT/007/007, Folder #5, Carbon County, Utah

The undersigned has been appointed by the Board of Oil, Gas and Mining as the Assessment Officer for assessing penalties under R645-401.

Enclosed is the proposed civil penalty assessment for the above-referenced violation. The violation was issued by Division Inspector, Henry Sauer on March 25, 1993. Rule R645-401-600 et. sec. has been utilized to formulate the proposed penalty. By these rules, any written information which was submitted by you or your agent, within fifteen (15) days of receipt of the Notice of Violation, has been considered in determining the facts surrounding the violation and the amount of penalty.

Under R645-401-700, there are two informal appeal options available to you:

1. If you wish to informally appeal the fact of this violation, you should file a written request for an Informal Conference within 30 days of receipt of this letter. This conference will be conducted by the Division Director. This Informal Conference is distinct from the Assessment Conference regarding the proposed penalty.
2. If you wish to review the proposed penalty assessment, you should file a written request for an Assessment Conference within 30 days of receipt of this



letter. If you are also requesting a review of the fact of violation, as noted in paragraph 1, the Assessment Conference will be scheduled immediately following that review.

If a timely request for review is not made, the fact of violation will stand, the proposed penalty(ies) will become final, and the penalty(ies) will be due and payable within thirty (30) days of the proposed assessment. Please remit payment to the Division, mail c/o Vicki Bailey.

Sincerely,

Joseph C. Helfrich
for

Joseph C. Helfrich
Assessment Officer

jbe

Enclosure

cc: Bernie Freeman, OSM

**WORKSHEET FOR ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE Sunnyside Coal Co/Sunnyside MineNOV #N93-32-1-2PERMIT # ACT/007/007VIOLATION 1 OF 2ASSESSMENT DATE 04/23/93ASSESSMENT OFFICER Joseph C. Helfrich**I. HISTORY MAX 25 PTS**

- A. Are there previous violations which are not pending or vacated, which fall within 1 year of today's date?

ASSESSMENT DATE 04/23/93EFFECTIVE ONE YEAR TO DATE 04/23/93

PREVIOUS VIOLATIONS	EFFECTIVE DATE	POINTS
<u>N92-32-9-1</u>	<u>06/28/92</u>	<u>1</u>
<u>N92-20-2-1</u>	<u>09/13/92</u>	<u>1</u>
<u>N92-32-10-1</u>	<u>09/27/92</u>	<u>1</u>
<u>N92-32-11-1</u>	<u>12/22/92</u>	<u>1</u>
<u>N92-32-12-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-40-11-1</u>	<u>04/18/93</u>	<u>1</u>
<u>N92-40-12-2</u>	<u>04/18/93</u>	<u>2</u>
<u>N92-40-13-1</u>	<u>04/18/93</u>	<u>1</u>
<u>C92-32-1-1</u>	<u>04/16/93</u>	<u>5</u>
<u>N92-32-13-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-32-14-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-32-15-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-32-16-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-32-17-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-26-5-1</u>	<u>04/18/93</u>	<u>1</u>

1 point for each past violation, up to one year;

5 points for each past violation in a CO, up to one year;

No pending notices shall be counted.

TOTAL HISTORY POINTS 20

II. SERIOUSNESS (either A or B)

NOTE: For assignment of points in Parts II and III, the following applies. Based on the facts supplied by the inspector, the Assessment Officer will determine within which category, the Assessment Officer will adjust the points up or down, utilizing the inspector's and operator's statements as guiding documents.

Is this an Event (A) or Hindrance (B) violation? Event

A. Event Violations Max 45 PTS

1. What is the event which the violated standard was designed to prevent?
Conducting mining activities without appropriate approvals.
2. What is the probability of the occurrence of the event which a violated standard was designed to prevent? Occurred

... PROBABILITY	RANGE
... None	0
... Unlikely	1-9
... Likely	10-19
... Occurred	20

ASSIGN PROBABILITY OF OCCURRENCE POINTS 20

PROVIDE AN EXPLANATION OF POINTS

The improper disposal of noncoal waste within the permit area had occurred as a result of the inspection.

3. What is the extent of actual or potential damage? RANGE 0 - 25*

*In assigning points, consider the duration and extent of said damage or impact, in terms of area and impact on the public or environment.

ASSIGN DAMAGE POINTS 0

PROVIDE AN EXPLANATION OF POINTS

No damage occurred as a result of the violation.

B. Hindrance Violations MAX 25 PTS

- 1. Is this a potential or actual hindrance to enforcement?
RANGE 0 - 25

Assign points based on the extent to which enforcement is actually or potentially hindered by the violation.

ASSIGN HINDRANCE POINTS

PROVIDE AN EXPLANATION OF POINTS

TOTAL SERIOUSNESS POINTS (A or B) 20

III. NEGLIGENCE MAX 30 PTS

- A. Was this an inadvertent violation which was unavoidable by the exercise of reasonable care? **IF SO - NO NEGLIGENCE;**
 OR Was this a failure of a permittee to prevent the occurrence of a violation due to indifference, lack of diligence, or lack of reasonable care, or the failure to abate any violation due to the same? **IF SO - NEGLIGENCE;**
 OR Was this violation the result of reckless, knowing, or intentional conduct? **IF SO - GREATER DEGREE OF FAULT THAN NEGLIGENCE.**

- ... No Negligence 0
- ... Negligence 1-15
- ... Greater Degree of Fault 16-30

STATE DEGREE OF NEGLIGENCE Ordinary

ASSIGN NEGLIGENCE POINTS 10

PROVIDE AN EXPLANATION OF POINTS

Lack of diligence with respect to compliance with DOGM regulations.

IV. GOOD FAITH MAX 20 PTS. (EITHER A or B) (Does not apply to violations requiring no abatement measures.)

A. Did the operator have onsite the resources necessary to achieve compliance of the violated standard within the permit area?

... **IF SO - EASY ABATEMENT**

Easy Abatement Situation

... **Immediate Compliance -11 to -20***

... Immediately following the issuance of the NOV)

... **Rapid Compliance -1 to -10***

... (Permittee used diligence to abate the violation)

... **Normal Compliance 0**

(Operator complied within the abatement period required)

(Operator complied with conditions and/or terms of approved Mining and Reclamation Plan)

* Assign in upper or lower half of range depending on abatement occurring in 1st or 2nd half of abatement period.

B. Did the permittee not have the resources at hand to achieve compliance OR does the situation require the submission of plans prior to physical activity to achieve compliance?

... **IF SO - DIFFICULT ABATEMENT**

Difficult Abatement Situation

... **Rapid Compliance -11 to -20***

... (Permittee used diligence to abate the violation)

... **Normal Compliance -1 to -10***

... (Operator complied within the abatement period required)

... **Extended Compliance 0**

(Permittee took minimal actions for abatement to stay within the limits of the NOV or the violated standard, or the plan submitted for abatement was incomplete)

(Permittee complied with conditions and/or terms of approved Mining and Reclamation Plan)

EASY OR DIFFICULT ABATEMENT? _____ **ASSIGN GOOD FAITH POINTS** 0

PROVIDE AN EXPLANATION OF POINTS

To be evaluated upon termination of the violation.

V. ASSESSMENT SUMMARY FOR N93-32-1-2 1/2

I.	TOTAL HISTORY POINTS	<u>20</u>
II.	TOTAL SERIOUSNESS POINTS	<u>20</u>
III.	TOTAL NEGLIGENCE POINTS	<u>10</u>
IV.	TOTAL GOOD FAITH POINTS	<u>- 0</u>
	TOTAL ASSESSED POINTS	<u>50</u>
	TOTAL ASSESSED FINE	<u>\$ 1000.00</u>

jbe

**WORKSHEET FOR ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE Sunnyside Coal Co/Sunnyside MineNOV #N93-32-1-2PERMIT # ACT/007/007VIOLATION 2 OF 2ASSESSMENT DATE 04/23/93ASSESSMENT OFFICER Joseph C. Helfrich**I. HISTORY MAX 25 PTS**

- A. Are there previous violations which are not pending or vacated, which fall within 1 year of today's date?

ASSESSMENT DATE 04/23/93EFFECTIVE ONE YEAR TO DATE 04/23/93

PREVIOUS VIOLATIONS	EFFECTIVE DATE	POINTS
<u>N92-32-9-1</u>	<u>06/28/92</u>	<u>1</u>
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<u>N92-32-10-1</u>	<u>09/27/92</u>	<u>1</u>
<u>N92-32-11-1</u>	<u>12/22/92</u>	<u>1</u>
<u>N92-32-12-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-40-11-1</u>	<u>04/18/93</u>	<u>1</u>
<u>N92-40-12-2</u>	<u>04/18/93</u>	<u>2</u>
<u>N92-40-13-1</u>	<u>04/18/93</u>	<u>1</u>
<u>C92-32-1-1</u>	<u>04/16/93</u>	<u>5</u>
<u>N92-32-13-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-32-14-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-32-15-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-32-16-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-32-17-1</u>	<u>04/16/93</u>	<u>1</u>
<u>N92-26-5-1</u>	<u>04/18/93</u>	<u>1</u>

1 point for each past violation, up to one year;

5 points for each past violation in a CO, up to one year;

No pending notices shall be counted.

TOTAL HISTORY POINTS 20

II. SERIOUSNESS (either A or B)

NOTE: For assignment of points in Parts II and III, the following applies. Based on the facts supplied by the inspector, the Assessment Officer will determine within which category, the Assessment Officer will adjust the points up or down, utilizing the inspector's and operator's statements as guiding documents.

Is this an Event (A) or Hindrance (B) violation? Event

A. Event Violations Max 45 PTS

1. What is the event which the violated standard was designed to prevent?
Conducting mining activities without appropriate approvals.
2. What is the probability of the occurrence of the event which a violated standard was designed to prevent? Occurred

... PROBABILITY	RANGE
... None	0
... Unlikely	1-9
... Likely	10-19
... Occurred	20

ASSIGN PROBABILITY OF OCCURRENCE POINTS 20

PROVIDE AN EXPLANATION OF POINTS

Noncoal waste, specifically used oil, dust suppressant, and tanner gas fluid, as well as other liquids, had not been placed in a controlled manner in a designated portion of the permit area.

3. What is the extent of actual or potential damage? RANGE 0 - 25*

*In assigning points, consider the duration and extent of said damage or impact, in terms of area and impact on the public or environment.

ASSIGN DAMAGE POINTS 0

PROVIDE AN EXPLANATION OF POINTS

No damage occurred as a result of the violation.

B. Hindrance Violations MAX 25 PTS

1. Is this a potential or actual hindrance to enforcement? _____
RANGE 0 - 25

Assign points based on the extent to which enforcement is actually or potentially hindered by the violation.

ASSIGN HINDRANCE POINTS _____

PROVIDE AN EXPLANATION OF POINTS

TOTAL SERIOUSNESS POINTS (A or B) 20

III. NEGLIGENCE MAX 30 PTS

A. Was this an inadvertent violation which was unavoidable by the exercise of reasonable care? **IF SO - NO NEGLIGENCE;**
OR Was this a failure of a permittee to prevent the occurrence of a violation due to indifference, lack of diligence, or lack of reasonable care, or the failure to abate any violation due to the same? **IF SO - NEGLIGENCE;**
OR Was this violation the result of reckless, knowing, or intentional conduct? **IF SO - GREATER DEGREE OF FAULT THAN NEGLIGENCE.**

... No Negligence	0
... Negligence	1-15
... Greater Degree of Fault	16-30

STATE DEGREE OF NEGLIGENCE Ordinary

ASSIGN NEGLIGENCE POINTS 10

PROVIDE AN EXPLANATION OF POINTS

Lack of diligence with respect to compliance with DOGM regulations.

V. ASSESSMENT SUMMARY FOR N93-32-1-2 2/2

I.	TOTAL HISTORY POINTS	<u>20</u>
II.	TOTAL SERIOUSNESS POINTS	<u>20</u>
III.	TOTAL NEGLIGENCE POINTS	<u>10</u>
IV.	TOTAL GOOD FAITH POINTS	<u>- 0</u>
	TOTAL ASSESSED POINTS	<u>50</u>
	TOTAL ASSESSED FINE	<u>\$ 1000.00</u>

jbe



UTAH
NATURAL RESOURCES
Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

John Page

MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name SUNNYSIDE COAL COMPANY

Mailing Address P.O. BOX 99, STATE HIGHWAY 123, 84539

State Permit No. ACT/007/007

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 93-32-1-2 2 of 2 dated 3/25, 19 93.

Cessation Order No. C _____ dated _____, 19 _____.

Part 2 of 2 is modified as follows: ABATEMENT DEADLINE: NO LATER THAN 5:00 P.M. APRIL 19, 1993

Reason for modification is AS PER OPERATOR REQUEST DATE APRIL 8, 1993

Part _____ of _____ is modified as follows: _____

Reason for modification is _____

Part _____ of _____ is modified as follows: _____

Date of service (mailing) 4/15/93

Time of service (mailing) 10:00 a.m. p.m.

Date of inspection 3/25/93

PETER HESS
Permittee/Operator representative

ENVIRONMENTAL COORDINATOR
Title

Signature

HENRY SAUER
Division of Oil, Gas & Mining

Senior Reclamation File Specialist
Title

Henry Sauer
Signature

** TRANSMIT CONFIRMATION REPORT **

Journal No. : 009
 Receiver : 801 000
 Transmitter : DIV
 Date : Apr
 Document : 01 p
 Time : 00'3
 Mode : G3 NORMAL
 Result : OK

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1
To Peter Hess	From Henry Sauer	
Co. Sunnyside Coal	Co. DOGMA	
Dept.	Phone # 538-5340	
Fax # 888-2581	Fax # 359-3940	



Page

notice of violation

NO. N 93-32-1-2

To the following Permittee or Operator:

Name SUNNYSIDE COAL COMPANY

Mine SUNNYSIDE MINES Surface Underground Other

County CARBON State UT Telephone 888-4421

Mailing Address P.O. Box 99, STATE HIGHWAY 123 84539

State Permit No. ACT/007/007

Ownership Category State Federal Fee Mixed

Date of Inspection 3/23 - 3/25 /93 19 93

Time of Inspection a.m. p.m. to a.m. p.m.

Operator Name (other than Permittee) _____

Mailing Address _____

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining** is **is not** expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

Date of service/mailing 3/25/93

Time of service/mailing 3:30 a.m. p.m.

PETER HESS
Permittee/Operator representative

ENVIRONMENTAL COORDINATOR
Title

Peter Hess
Signature

HENRY SAUER
Division of Oil, Gas & Mining representative

SENIOR RECLAMATION SOILS SPECIALIST
Title

Henry Sauer
Signature

#32
Identification Number

SEE REVERSE SIDE

WHITE-DOG M YELLOW-OS M PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N93-32-1-2

Violation No. 1 of 2

Nature of violation

✓ FAILURE TO PLACE COAL PROCESSING WASTE IN A DESIGNATED DISPOSAL AREA, IN A CONTROLLED MANNER WITHIN THE PERMIT AREA.

Provisions of act, regulations or permit violated

RC45-301-528.320

Portion of operation to which notice applies

THE COAL PROCESSING WASTE PILES ADJACENT TO THE NUMBER ONE AND NUMBER TWO SLURRY CELLS.

Remedial action required (Including any interim steps)

REMOVE COAL PROCESSING WASTE AND PLACE IN AN APPROVED DESIGNATED DISPOSAL AREA.

Abatement time (Including interim steps)

NO LATER THAN 5:00 P.M. APRIL 8, 1993



NOTICE OF VIOLATION NO. N93-32-1-2

Violation No. 2 of 2

Nature of violation

FAILURE TO PLACE NONCOAL WASTE (ESPECIALLY USED OIL, TANNER GAS FLUID, DUST SUPPRESSANT) and other liquids in a controlled manner in a designated portion of the permit area.

Provisions of act, regulations or permit violated

RC45-301-528.331

Portion of operation to which notice applies

~~All areas where drums were observed~~
The entire disturbed area.

Remedial action required (including any interim steps)

Place all drums and fluid containers in a controlled manner in a designated portion of the permit area.

Abatement time (including interim steps)

NO LATER 5:00 P.M. APRIL 8, 1993.